

Message Text

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ORIGIN SS-25

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APPROVED BY EA:RHOLBROOKE
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EA/PHL:BAFLECK (DRAFT)
OSD/ISA:MABRAMOWITZ (DRAFT)
EA:ROAKLEY (DRAFT)
S/S:JTHYDEN

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JCS WASHDC

S E C R E T STATE 078380

EXDIS, MILITARY ADDRESSEES HANDLE AS SPECAT EXCLUSIVE

E.O. 11652: GDS

TAGS: MARR, RP

SUBJECT: PHILIPPINE BASE NEGOTIATIONS - INSTRUCTIONS

REF: MANILA 4728 (DTG 251045Z MAR 78)

1. WE AGREE WITH THE APPROACH YOU RECOMMEND AND HAVE SOME
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SUGGESTIONS AS TO SPECIFIC LANGUAGE CHANGES WHICH ARE SET
FORTH BELOW. IN ADDITION, WE HAVE A CONCERN THAT THE
GENERAL TONE OF THE PRESENTATION COULD BE INTERPRETED AS
IMPERIOUS, PARTICULARLY IF IT IS TO BE PUT DOWN ON PAPER AND
READ BY ROMULO, ENRILE, ETC. WE LEAVE IT TO YOUR JUDGMENT
WHETHER ANY ADDITIONAL CHANGES IN WORDING, NOT SUBSTANCE,
ARE NEEDED TO MINIMIZE THE CRITICISM WE CAN EXPECT FROM

THOSE INTERESTED IN DENIGRATING YOUR PRESENTATION. WE ALSO LEAVE TO YOUR JUDGMENT WHETHER THESE POINTS SHOULD BE PRESENTED IN WRITING OR ONLY ORALLY.

2. CONCERNING THE LINKAGE BETWEEN AGREEMENT ON COMPENSATION AND SOVEREIGNTY/BASE USE (INCLUDING CRIMINAL JURISDICTION), WE WOULD NOT OBJECT TO DELINKING THEM PROVIDED WE WERE ABLE TO PIN DOWN PRECISE AGREEMENT ON THOSE ASPECTS OF THE LATTER WHICH ARE OF VITAL IMPORTANCE TO US. HOWEVER, GIVEN THE UNCERTAINTY THAT THIS CAN BE ACCOMPLISHED, IN LIGHT OF CURRENT GOP POSITIONS, YOU SHOULD AVOID GIVING A

DEFINITIVE ANSWER TO THIS QUESTION. IF IT IS RAISED, YOU SHOULD SAY THAT THIS WILL DEPEND UPON THE SUBSTANTIVE POSITIONS OF THE GOP AND WE ARE NOT ABLE TO ANSWER UNTIL THESE HAVE BECOME CLEARER.

3. WE DO NOT WISH TO CONVEY TO MARCOS (OR MEMBERS OF HIS STAFF IF THEY ARE PRESENT TUESDAY) ANY DOUBT THAT AGREEMENT CAN BE REACHED. WE SUGGEST THAT TEXT OF PARA. 3 BE MODIFIED AS FOLLOWS: - -

QUOTE BEGIN TALKING POINTS:

AS A RESULT OF RECENT DISCUSSIONS, WE FEEL GENUINE PROGRESS HAS BEEN MADE IN SEEKING TO RESOLVE ISSUES RELAT-
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ING TO OUR MILITARY FACILITIES. WE MUST NOW ANSWER THE QUESTION OF HOW CAN WE ACHIEVE AGREEMENT WITHOUT FURTHER EXTENSIVE AND INCONCLUSIVE DISCUSSIONS. END QUOTE.

4. SUGGEST ALL POINTS OF AGREEMENT BE CONTAINED IN ONE PARA. WE PROPOSE THE FOLLOWING FOR PARA. 4 OF REFTTEL, DELETING PARA. 5.

QUOTE

THE US UNDERSTANDS THE NEED TO MANIFEST PHILIPPINE SOVEREIGNTY AT THE BASES AND FEELS IT HAS MADE MAJOR CONCESSIONS IN THAT DIRECTION. AS A RESULT OF NEGOTIATIONS TO DATE, OUR TWO COUNTRIES HAVE: A. AGREED THAT PHILIPPINE SOVEREIGNTY EXTENDS OVER THE ENTIRE TERRITORY OF THE BASES; B. AGREED TO THE ESTABLISHMENT OF A PHILIPPINE BASE COMMANDER WHO SHALL BE RESPONSIBLE FOR THE SECURITY OF EACH BASE, RECOGNIZING THAT THE UNITED STATES COMMANDER SHALL BE RESPONSIBLE FOR THE SECURITY OF THE FACILITIES AND SHALL EXERCISE COMMAND AND CONTROL OVER US PERSONNEL, EQUIPMENT, MATERIAL AND OPERATIONS, AND THAT THE UNITED STATES WILL BE ASSURED UNHAMPERED MILITARY OPERATIONS

INVOLVING ITS OWN FORCES INCLUDING GUARANTEED FREE ACCESS TO, EGRESS FROM, AND MOVEMENT BETWEEN US FACILITIES; C. AGREED TO THE RELINQUISHMENT FROM US CONTROL OF SUBSTANTIAL ACREAGE, WATERSHEDS, AND PORTIONS OF SUBIC BAY WATERS; D. AGREED THAT THERE WILL BE PHILIPPINE ADMINISTRATION OVER THE CROW VALLEY RANGE WITH US OPERATION AND CONTROL OF THE FACILITY; E. AGREED TO THE CONTINUATION OF THE MILITARY BASE AGREEMENT THROUGH 1991. UNQUOTE.

5. WE SUGGEST THE STEM OF PARA. 7 BE MODIFIED AS FOLLOWS:

QUOTE

THE US HAS WORKED HARD TO DEVELOP THE PROPOSALS IT HAS
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MADE TO DATE AND WE WISH TO MOVE EXPEDITIOUSLY TO REACH AN AGREEMENT WHICH MEETS BOTH PHILIPPINE AND AMERICAN NEEDS, AND WHICH ESTABLISHES A FIRM AND ENDURING FOUNDATION FOR WARM AND MUTUALLY BENEFICIAL US/RP RELATIONS. TO ACHIEVE THIS, THE FOLLOWING GENERAL UNDERSTANDINGS ARE NECESSARY: UNQUOTE

6. IN SUBPARA. 7A, WE SUGGEST THE PARENTHETICAL COMMENT READ:

QUOTE

EXCEPT FOR THE SUBIC WATERS AND WATERSHED. UNQUOTE.

7. WE RECOMMEND THE FOLLOWING LANGUAGE BE SUBSTITUTED FOR SUBPARAS. 7B AND 7C:

QUOTE

THE US WOULD RETAIN CONTROL OF THOSE PREVIOUSLY DESCRIBED PORTIONS OF SUBIC BAY WATERS AND WATERSHED, AND OF GRANDE ISLAND. THE WATERSHED WOULD BE MANAGED IN ACCORDANCE WITH A JOINT PLAN DEVELOPED BETWEEN THE PHILIPPINE BUREAU OF FORESTRY DEVELOPMENT AND THE US NAVY. UNQTE.

8. RECOMMEND THAT SUBPARA. 7G BE MODIFIED TO READ:

QUOTE

THE US WILL BE INTERESTED IN AND WILL CONSIDER SERIOUSLY, THE PHILIPPINES PROPOSAL ON COMPENSATION. WE HOPE THAT THE GOP UNDERSTANDS THE LIMITATIONS WITHIN WHICH THE USG MUST OPERATE CONCERNING THE FORM AND LEVEL OF A COMPENSA-
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TION OFFER, GIVEN THE NECESSITY OF CONGRESSIONAL APPROVAL.
END QUOTE. (IN THIS CONNECTION, YOU SHOULD AGAIN IMPRESS
UPON MARCOS THE MAJOR EFFORT ON BEHALF OF THE GOP WHICH
THE ADMINISTRAT-ON HAS MADE IN ITS CONSULTATIONS WITH
CONGRESS, WORKING OUT A PACKAGE WHICH WE BELIEVE CAN OB-
TAIN CONGRESSIONAL APPROVAL DESPITE THE RESERVATIONS HELD
BY A NUMBER OF CONGRESSMEN AND SENATORS AS TO THE DESIRA-
BILITY OF PROVIDING ADDITIONAL ASSISTANCE TO THE GOP. YOU
SHOULD ALSO TELL MARCOS THAT WE WOULD WELCOME ANYTHING HE
MIGHT WISH TO DO TO IMPROVE THE GOP DIALOGUE WITH CONGRESS
AND TO OBTAIN A DIRECT FIRST-HAND ASSESSMENT OF CON-
GRESSIONAL THINKING ON THE POINTS WHICH YOU HAVE DISCUSSED
WITH HIM AND OTHER GOP OFFICIALS.)

9. WE RECOMMEND THE FOLLOWING LANGUAGE BE SUBSTITUTED

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FOR PARA. 8:

QUOTE:

ON JOHN HAY AIR BASE, THE US WISHES TO POINT OUT THAT
ITS PROPOSAL RECOGNIZES ESSENTIAL ELEMENTS OF PHILIP-
PINES SOVEREIGNTY WHILE ENABLING THE USG TO CONTINUE US
FUNDING FOR THE UPKEEP OF THIS FACILITY. IT REMAINS THE
US HOPE THAT, WITHIN THE AREA DESIGNATED ON OUR MAPS,
WE CAN ARRIVE AT A MUTUALLY ACCEPTABLE FORMULA WHICH
MEETS PHILIPPINE SOVEREIGNTY REQUIREMENTS BUT PERMITS
CONTINUED US FINANCIAL SUPPORT. UNQUOTE.

10. SUGGEST PARA. 9 BE MODIFIED AS FOLLOWS:

QUOTE

WITH REGARD TO PHILIPPINE MILITARY EQUIPMENT REQUIRE-
MENTS, IF THE AFP IDENTIFIES PARTICULARLY PRESSING RE-
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QUIREMENTS THE US WOULD BE WILLING TO EXAMINE THEM. THIS
EXAMINATION WOULD BE WITHOUT ANY IMPLICATION AS TO US
FUNDING FOR PHILIPPINE REQUIREMENTS. THE GENERAL US
POLICY CONSIDERATIONS AS EXPLAINED BY GEN. GRAHAM CONTINUE
TO APPLY. UNQUOTE -

11. SUGGEST THE FOLLOWING BE SUBSTITUTED FOR PARA. 10:

QUOTE

THE UNITED STATES WILL SUBMIT, WITHIN ABOUT A WEEK, A COMPLETE PROPOSAL ON SECURITY COSTS AT THE BASES. IN THE INTERIM, THE UNITED STATES IS PREPARED TO PROVIDE (E.G., THROUGH MAP) EQUIPMENT SUCH AS WEAPONS, AMMUNITION, VEHICLES AND COMMUNICATIONS GEAR TO EQUIP AN AGREED-UPON PHILIPPINE SECURITY COMPONENT AT THE BASES. FYI: WE ARE EXAMINING SHORT-TERM PROCEDURES TO SEE WHETHER WE CAN PROVIDE EQUIPMENT IF AGREEMENT ON SOVEREIGNTY ISSUES IS CONCLUDED PRIOR TO COMPENSATION AGREEMENT. OBVIOUSLY, THE AMOUNT OF EQUIPMENT WOULD BE LIMITED TO REAL AFP NEEDS FOR BASE SECURITY ONLY. OUR PROPOSAL WILL INCLUDE ESTIMATE OF NUMBER OF PERSONNEL AND AMOUNT OF EQUIPMENT REQUIRED FOR SECURITY AT EACH BASE AND AREAS WHERE WE CAN ASSIST IN MEETING OTHER COSTS, SUCH AS O&M. IT WILL NOT RPT NOT INVOLVE REIMBURSEMENT FOR PAY AND ALLOWANCES FOR PHILIPPINE MILITARY PERSONNEL PROVIDING SECURITY SERVICES AND WILL PROBABLY BE BASED ON APPROXIMATELY 200 AFP PERSONNEL AT CLARK AND A LIKE NUMBER AT SUBIC. END FYI.

12. GIVEN THE DELAY IN THE VICE PRESIDENT'S TRIP, IF IT APPEARS, BASED UPON THE ABOVE DISCUSSION, THAT THERE IS A REASONABLE PROSPECT OF RECONCILING THE POSITIONS OF THE TWO SIDES, YOU MAY, AT YOUR DISCRETION, INDICATE TO
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MARCOS THAT HOLBROOKE AND ABRAMOWITZ ARE PREPARED TO COME TO MANILA IF THE PRESIDENT BELIEVES THAT REMAINING DIFFERENCES CAN BE RESOLVED IN TIME FOR AGREEMENT TO BE CONSUMMATED DURING THE VICE PRESIDENT'S DELAYED TRIP, AS MARCOS HAS SAID HE WANTS. IF THIS TRANSPIRES, WE HOPE THAT ADMIRAL WEISNER WOULD BE FREE TO JOIN THESE TALKS.
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